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February 3, 2004

United States District Court
District of New Jersey Trenton
Clarkson S. Fisher Federal Bldg. & U.S. Courthouse
402 E. State St.
Trenton, NJ 08608

Re: **Lucienne J. Wolfson v. James A. Williamson and Hamilton Township**

Dear Sir/Madam:

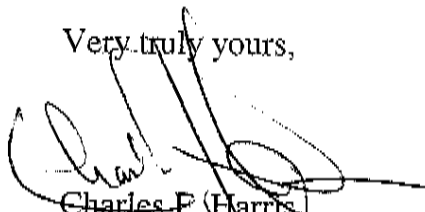
I enclose herewith the following documentation in this matter:

1. Original and two copies of Complaint and Jury Demand;
2. Original and two copies of Civil Cover Sheet;
3. My firm's check in the amount of \$150.00 to cover your filing fee in this matter; and
4. Disc containing the within documents in PDF format.

Kindly file the aforesaid Complaint and Civil Cover Sheet, and return to me a "filed" copy of same in the enclosed envelope.

I thank you for your anticipated cooperation in this matter.

Very truly yours,


Charles F. Harris
Email: cfharris@mgplaw.com
Direct Dial: 609/436.1206

CFH:an
Enclosures

JS 44
(Rev. 3/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Lucienne J. Wolfson

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Mercer
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Mason, Griffin & Pierson, PC
101 Poor Farm Road
Princeton, NJ 08540 609-921-6543

DEFENDANTS

James A. Williamson and Hamilton Township
2090 Greenwood Ave., CN 00150
Hamilton, NJ 08650-0150

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Mercer
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 180 Other Contract <input type="checkbox"/> 190 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury — Med. Malpractice <input type="checkbox"/> 365 Personal Injury — Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 620 Copyrights <input type="checkbox"/> 630 Patent <input type="checkbox"/> 640 Trademark LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 750 Other Labor Litigation <input type="checkbox"/> 751 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 510 Selective Service <input type="checkbox"/> 530 Securities/Commodities Exchange <input type="checkbox"/> 575 Customer Challenge 12 USC 3410 <input type="checkbox"/> 581 Agricultural Acts <input type="checkbox"/> 582 Economic Stabilization Act <input type="checkbox"/> 593 Environmental Matters <input type="checkbox"/> 594 Energy Allocation Act <input type="checkbox"/> 595 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 990 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Ties to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 250 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence HABEAS CORPUS: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Conditions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS — Third Party 28 USC 7609		

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

42 U.S.C. §§ 1983 & 1988 and the Fourth and Fourteenth Amendments to the United States Constitution

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 ☐

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ YES ☐ NO

VIII. RELATED CASE(S) (See instructions): IF ANY

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

February 3, 2004

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

JURISDICTION

1. This is an action for money damages brought pursuant to 42 U.S.C. §§ 1983 and 1988 and the Fourth and Fourteenth Amendments to the United States Constitution and under the common law of the State of New Jersey against James Williamson, individually and in his official capacity, and against Hamilton Township. Jurisdiction over this matter is based upon 28 U.S.C. §§ 1331 and 1343 and on supplemental jurisdiction this Court has over related State law claims pursuant to 28 U.S.C. 1367.

PARTIES

2. Plaintiff is an individual currently residing at 13 Arvida Drive, Pennington, New Jersey 08534.

3. Defendant James A. Williamson (hereinafter "Officer Williamson") was, at all times relevant to this Complaint, an individual citizen and a duly appointed police officer with the Hamilton Township Police Department, authorized to exercise the functions and perform the duties of that position, and actually engaged in the exercise of such functions and the performance of such duties.

4. Defendant Hamilton Township is a municipal corporation duly organized and existing under the laws of the State of New Jersey and employs Officer Williamson, with a principal place of business located at 2090 Greenwood Avenue, CN 00150, Hamilton, New Jersey 08650-0150.

CAUSES OF ACTION

COUNT I (False Arrest)

5. Plaintiff hereby repeats and incorporates by reference each and every allegation contained in the foregoing paragraphs of this Complaint as if set forth at length herein.

6. On or about January 6, 2003, Plaintiff was operating a motor vehicle in the Township of Hamilton, State of New Jersey.

7. While Plaintiff was operating her motor vehicle, Officer Williamson, while acting in the course of his duties as a Hamilton Township Police Officer, effected a motor vehicle stop of Plaintiff's vehicle.

8. During the motor vehicle stop, Officer Williamson verbally abused Plaintiff, made derogatory comments to Plaintiff about her nationality and slammed Plaintiff's cellular phone on the roof of her vehicle, destroying it.

9. Officer Williamson issued summonses to Plaintiff charging her with motor vehicle violations, as well as the disorderly persons offense of Obstruction of the Administration of Law, in violation of N.J.S.A. 2C:29-1A.

10. Officer Williamson also arrested Plaintiff, handcuffed her, used an unreasonable amount of physical force to place Plaintiff in a patrol car and transported her to the Hamilton Township Police Department Headquarters, where she remained, handcuffed, for an unreasonably long period of time in an unreasonably uncomfortable position.

11. The arrest of Plaintiff was malicious and without probable cause.

12. On June 9, 2003, Plaintiff appeared for trial in the Hamilton Township Municipal Court on the above-referenced summonses. After a trial, the municipal court judge found Plaintiff not guilty of the disorderly persons offense of Obstruction of the Administration of Law and dismissed that summons. Furthermore, Plaintiff was found guilty only of less serious motor vehicle violations than those Officer Williamson charged Plaintiff with violating.

13. As a result of Officer Williamson's actions, Plaintiff has suffered unnecessary physical injuries, humiliation and emotional trauma, as well as damage to personal property.

WHEREFORE, Plaintiff demands judgment against Defendants for compensatory, consequential and punitive damages, plus interest, attorneys' fees, costs of suit and such other relief as the Court deems just and proper.

COUNT II (Malicious Prosecution)

14. Plaintiff hereby repeats and incorporates by reference each and every allegation contained in the foregoing paragraphs of this Complaint as if set forth at length herein.

15. Officer Williamson initiated and pursued the prosecution of Plaintiff on the motor vehicle violations and the disorderly persons offense without probable cause to believe Plaintiff committed said violations.

16. Officer Williamson's initiation and pursuit of such charges was malicious.

17. After a trial on the merits of such charges, Plaintiff was found not guilty of the disorderly persons offense and was found guilty only of less serious motor vehicle violations than those Officer Williamson charged Plaintiff with violating.

18. As a result of Officer Williamson's actions, Plaintiff has suffered unnecessary physical injuries, humiliation and emotional trauma, as well as damage to personal property.

WHEREFORE, Plaintiff demands judgment against Defendants for compensatory, consequential and punitive damages, plus interest, attorneys' fees, costs of suit and such other relief as the Court deems just and proper.

COUNT III - INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

19. Plaintiff hereby repeats and incorporates by reference each and every allegation contained in the foregoing paragraphs of this Complaint as if set forth at length herein.

20. Plaintiff, whose date of birth is December 19, 1939, was 63 years of age at the time of this incident.

21. For the duration of Plaintiff's interaction with Officer Williamson, Officer Williamson spoke to Plaintiff in an abusive, antagonistic and intimidating tone of voice.

22. When Officer Williamson placed Plaintiff under arrest, he spun her around violently, handcuffed her and dragged her backwards to his patrol car. He then pushed Plaintiff into the patrol car with unnecessary force.

23. Officer Williamson refused, after Plaintiff requested that he do so, to retrieve Plaintiff's heart medication from her car.

24. Officer Williamson left Plaintiff's brother at the scene of the motor-vehicle stop in the passenger seat of her vehicle, with the car windows open to the extreme cold weather, and without the keys to the vehicle.

25. Upon arriving at the Hamilton Township Police Department Headquarters, Officer Williamson violently pulled Plaintiff out of the patrol car.

26. Plaintiff was then shackled to a stationary bar at the Police Department Headquarters for an unreasonably long period of time.

27. While at Police Department Headquarters, a Hamilton Township police officer told Plaintiff she was arrested because she was "arrogant."

28. Officer Williamson, and other police officers from the Hamilton Township Police Department, acted intentionally and/or recklessly.

29. Officer Williamson, and other police officers from the Hamilton Township Police Department, intended that their conduct would cause the Plaintiff emotional distress, or they acted recklessly in deliberate disregard of a high degree of probability that their actions would cause Plaintiff emotional distress.

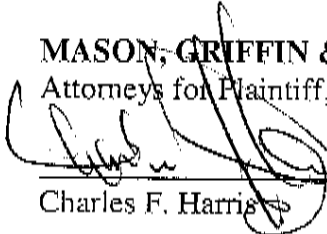
30. Officer Williamson's conduct, and the conduct of other police officers from the Hamilton Township Police Department, was so outrageous in character and extreme in degree that it went beyond all bounds of decency.

31. Plaintiff suffered physical injury and severe emotional distress as a direct and proximate result of Officer Williamson's conduct and the conduct of other police officers from the Hamilton Township Police Department.

WHEREFORE, Plaintiff demands judgment against Defendants for compensatory, consequential and punitive damages, plus interest, attorneys' fees, costs of suit and such other relief as the Court deems just and proper.

MASON, GRIFFIN & PIERSON, P.C.
Attorneys for Plaintiff, Lucienne J. Wolfson

By:


Charles F. Harris

Dated: February 3, 2004

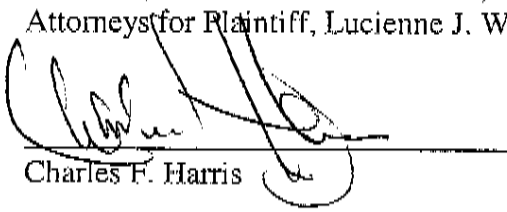
JURY DEMAND

Plaintiff hereby demand a trial by jury of all issues in this action.

MASON, GRIFFIN & PIERSON, P.C.

Attorneys for Plaintiff, Lucienne J. Wolfson

By:



Charles F. Harris